

Message Text

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PAGE 01 STATE 067250

ORIGIN EB-08

INFO OCT-01 EUR-12 ISO-00 IO-13 FAA-00 DOTE-00 CIAE-00
DODE-00 NSAE-00 NSCE-00 SSO-00 USIE-00 INRE-00
CAB-02 COME-00 INR-07 AF-08 ARA-06 EA-07 NEA-10
SS-15 NSC-05 L-03 SIG-01 /098 R

DRAFTED BY EB/OA/AVP:JSGRAVATT:PMA

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EUR/SE:NPAZDRAL

IO/TRC:CHARTLEY

FAA:JSHAFFER

EUR/SE:NCLEDSKY

-----260150Z 117500 /72-62

O 260100Z MAR 77

FM SECSTATE WASHDC

TO AMCONSUL MONTREAL IMMEDIATE

INFO AMEMBASSY ANKARA IMMEDIATE

AMEMBASSY BONN IMMEDIATE

AMEMBASSY LONDON IMMEDIATE

AMEMBASSY NICOSIA IMMEDIATE

AMEMBASSY ATHENS PRIORITY

AMEMBASSY BRUSSELS PRIORITY

AMEMBASSY COPENHAGEN PRIORITY

AMEMBASSY PARIS PRIORITY

AMEMBASSY ROME PRIORITY

AMEMBASSY THE HAGUE PRIORITY

USMISSION EC BRUSSELS PRIORITY

C O N F I D E N T I A L STATE 067250

FOR US REP ICAO

E.O. 11652: GDS

TAGS: EAIR, ICAO, PORG, PFOR, CY, TU

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 STATE 067250

SUBJECT: TURKISH CYPRIOT DECLARATION OF ADVISORY
AIRSPACE IN NICOSIA FIR

REF: (A) MONTREAL 497 AND (B) NICOSIA 830

1. DEPT CONSIDERS ICAO PROPOSAL IN PARA. 7 OF REFTTEL
(A) HIGHLY UNDESIRABLE SINCE IT WOULD HAVE EFFECT OF

GIVING RECOGNITION TO THE "TFSC" AND CREATING HARMFUL PRECEDENT.

2. WE NOW UNDERSTAND THAT GOT MAY BE EXPECTING ERCAN ADVISORY AREA ISSUE TO BE BROUGHT BEFORE ICAO COUNCIL. DESPITE THE VIEWS OF THE PRESIDENT OF THE COUNCIL TO THE CONTRARY, WE WOULD LIKE US REP TO PROPOSE THE ABOVE SUBJECT FOR ADDITION TO THE COUNCIL'S WORK PROGRAM FOR THE CURRENT SESSION.

3. THE FOLLOWING IS FOR THE USE OF US REP BOTH IN HAVING THE ITEM PLACED ON THE COUNCIL'S WORK PROGRAM AND IN COUNCIL DISCUSSION OF THE MATTER:

ICAO COUNCIL CONSIDERATION OF TURKISH CYPRIOT DECLARATION OF ADVISORY AIRSPACE IN NICOSIA FIR WOULD BE IN SUPPORT OF THE PROPER FUNCTIONING OF ICAO. NEAR MISSES CITED IN REFTTEL DEMONSTRATE OBVIOUS SAFETY HAZARD OF TWO AIR TRAFFIC CENTERS ATTEMPTING TO EXERCISE CONTROL OVER SAME AIRSPACE. THE AUTHORITY FOR ICAO AIRSPACE ARRANGEMENTS IS CONTAINED IN ARTICLE 28 OF THE CHICAGO CONVENTION UNDER WHICH ICAO MEMBER STATES UNDERTAKE TO PROVIDE FACILITIES AND SERVICES PURSUANT TO THE CONVENTION. THE DETAILS OF THESE ARRANGEMENTS ARE WORKED OUT BY CONSULTATION THROUGH THE ICAO MACHINERY AND PROVIDED BY THE STATE CONSENTING TO MANAGE THE AGREED AIRSPACE. (ARTICLE 1 OF THE CONVENTION RECOGNIZES THE SOVEREIGNTY OF A STATE OVER ITS OWN TERRITORY AND ARTICLE 12 PROVIDES A BACKING FOR THE ADVISORY SERVICES A STATE PROVIDES
CONFIDENTIAL

CONFIDENTIAL

PAGE 03 STATE 067250

OVER THE HIGH SEAS. SERVICES CAN ALSO BE PROVIDED BY CONSENT OVER THE TERRITORY OF ANOTHER STATE.) NONE OF THE ICAO PROCEDURES FOR ALTERING EXISTING ARRANGEMENTS IN THE NICOSIA FIR HAVE BEEN ACTIVATED AND THE REQUIREMENT OF CONSENSUS OF THE STATES AFFECTED BY THE "TFSC" NOTAM HAS THEREFORE NOT BEEN MET.

4. OUR OBJECTIONS TO THE NOTAM ARE THAT IT SETS UP A SERVICE THAT THE ENTITY CONCERNED DOES NOT HAVE THE AUTHORITY TO PROVIDE. THERE IS A DANGER THAT IN PROCEEDING FROM ONE AREA TO ANOTHER AN AIRCRAFT MAY BE GIVEN CONFLICTING OR UNSAFE INFORMATION. A FLIGHT INFORMATION SERVICE CANNOT BE RUN WITHOUT EFFECTIVE COMMUNICATIONS BETWEEN CENTERS, SO THAT INFORMATION ABOUT MOVEMENTS CAN BE PASSED FROM ONE TO ANOTHER. FOR EXAMPLE THERE WAS NO WAY IN WHICH THE LOT AIRCRAFT TRAVELING ON AIRWAY BLUE 15 COMING FROM ISTANBUL BOUND FOR BEIRUT COULD BE ASSURED THAT IT WOULD ARRIVE SAFELY AT REPORTING POINT ALASIA WHERE IT INTERSECTS WITH THREE OTHER

AIRWAYS UNLESS ALL OPERATIONS ON THESE AIRWAYS WERE UNDER A SINGLE CONTROL. HENCE THE NEAR MISS.

5. ALL ICAO MEMBER STATES, INCLUDING TURKEY, ARE BOUND BY THE CHICAGO CONVENTION AND SO SHOULD CONTINUE TO ADHERE TO THE INTERNATIONALLY AGREED PROCEDURES FOR FLIGHT INFORMATION REGIONS. CREATION OF THE ERCAN ADVISORY AREA HAS CREATED A SAFETY HAZARD. WITH REFERENCE TO THE STATEMENT IN "TFSC" NOTAM THAT THERE IS NO AIR TRAFFIC CONTROL SERVICE NORTH OF CYPRUS, US REP SHOULD STATE THAT THE NICOSIA FIR AUTHORITY HAS SAID THAT IT CANNOT PROVIDE A FULL SERVICE FOR THIS AREA BECAUSE SOME AIRCRAFT ARE USING THE AIRWAYS WITHOUT REFERENCE TO LARNACA AND IN CONTRAVENTION OF THE FIR PROCEDURES BUT THIS DOES NOT AFFECT THE VALIDITY OF THE CURRENT INTERNATIONALLY ACCEPTED PROCEDURES.

CONFIDENTIAL

CONFIDENTIAL

PAGE 04 STATE 067250

6. ANY OPERATION OVER BLUE 15 AIRWAY REQUIRES COORDINATION BETWEEN ANKARA FIC AND NICOSIA FIC. OTHERWISE THE HAZARDOUS SITUATION WILL CONTINUE. THEREFORE US REP SHOULD ADVOCATE THAT ICAO COUNCIL HAVE SECRETARY GENERAL INSTRUCT ICAO PARIS OFFICE ASSURE CENTER COORDINATION BETWEEN NICOSIA FIC AND ANKARA FIC FOR TRAFFIC ON BLUE 15 AIRWAY IN BOTH DIRECTIONS.

7. FYI. NO US AIR CARRIER AFFECTED BY ERCAN ADVISORY AREA AT PRESENT TIME BECAUSE PAA NOW ABLE TO PROVIDE SERVICE TO DAMASCUS BY OVERFLYING BEIRUT. HOWEVER, PAA WILL UNDOUBTEDLY BECOME INVOLVED IN THIS SAFETY PROBLEM LATE NEXT MONTH WHEN IT PLANS SERVICE TO DAMASCUS VIA ISTANBUL. END FYI.

8. US REP SHOULD COORDINATE WITH UK REP AND POSSIBLY OTHER WESTERN EUROPEANS ON THIS ISSUE. (US AND UK HAVE BEEN COORDINATING IN WASHINGTON.)
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: AIRSPACE, POLICIES, CIVIL AVIATION, AVIATION REGULATIONS, INTERNATIONAL ORGANIZATIONS
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Copy: SINGLE
Sent Date: 26-Mar-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977STATE067250
Document Source: CORE
Document Unique ID: 00
Drafter: JSGRAVATT:PMA
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770103-0857
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770319/aaaaapxb.tel
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Litigation Code IDs:
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Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
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Office: ORIGIN EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 MONTREAL 497, 77 NICOSIA 830
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 21-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2986184
Secure: OPEN
Status: NATIVE
Subject: TURKISH CYPRIOT DECLARATION OF ADVISORY AIRSPACE IN NICOSIA FIR
TAGS: EAIR, PORG, PFOR, CY, TU, ICAO
To: MONTREAL
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/caff39b1-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009